

RQ-173



Debra Danburg
Chair
Committee on Elections
State Affairs

REC-17

DEC 15 94

Opinion Committee

December 14, 1994

The Honorable Dan Morales
Attorney General, State of Texas
P.O. Box 12548
Austin, Texas 78711-2548

Attention: Sarah Shirley

Re: Texas State Veterinary Licensing Act

Dear Dan:

As Chair of the House Committee on Elections, I have been asked by the Texas Humane Legislative Network to request your opinion on the following two questions:

(1) is a corporation under the Texas Non-Profit Corporation Act within the meaning of the term "corporation" in Section 22(a) of Article 8890 since such corporations do not have shareholders, and

(2) is a municipal corporation within the meaning of the term "corporation" in Section 22(a) of Article 8890 since, as a governmental entity, it does not have shareholders?

If you are in need of additional information, please contact Philip Cheatham of my staff at 463-0504. Due to the widespread application of this statute and the confusion it has created, I respectfully request your opinion by February 1, 1995 if possible as we anticipate the need for clarifying legislation if the ruling is counter to our constituents' needs. Thank you in advance for your assistance in this matter.

Sincerely,


Debra Danburg
State Representative

DD/pwc